

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

KEVIN T. HANNON,

Civil No. 09-3725 PJS/AJB

Plaintiff,

v.

ORDER

MARK D. KELLY AND LAW OFFICES,  
and MINNESOTA STATE PUBLIC  
DEFENDERS OFFICE,

Defendants.

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Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Arthur J. Boylan dated February 24, 2010, all the files and records, and no objections having been filed to said Recommendation,

IT IS HEREBY ORDERED that:

1. Plaintiff's application to proceed in forma pauperis, (Docket No. 2), is **DENIED**;
2. Plaintiff's motion for appointment of counsel, (Docket No. 3), is **DENIED**;
3. This action is **SUMMARILY DISMISSED** pursuant to 28 U.S.C. §1915(e)(2)(B)(ii);
4. Plaintiff is required to pay the unpaid balance of the Court filing fee, namely \$330.19, in accordance with 28 U.S.C. § 1915(b)(2); and
5. For purposes of 28 U.S.C. § 1915(g), this action is dismissed "on the grounds that it is frivolous, malicious, or fails to state a claim on which relief may be granted."

DATED: March 23, 2010.

s/Patrick J. Schiltz  
Patrick J. Schiltz  
United States District Judge